



FLOOR AMENDMENT NO. _____

BY: _____

Cruse

Amend C.S.H.B. No. 910 (house committee printing) as follows:

(1) In SECTION 28 of the bill, in amended Section 411.2032(b), Government Code (page 20, lines 15-16), strike "or 30.07".

(2) Strike SECTIONS 41, 42, and 43 of the bill amending Section 30.06, Penal Code (page 29, line 12 through page 30, line 16), and substitute the following appropriately numbered SECTIONS:

SECTION _____. The heading to Section 30.06, Penal Code, is amended to read as follows:

Sec. 30.06. TRESPASS BY HOLDER OF LICENSE TO CARRY A ~~[CONCEALED]~~ HANDGUN.

SECTION _____. Section 30.06, Penal Code, is amended by amending Subsections (a), (c), and (d), and adding Subsections (c-1) and (c-2) to read as follows:

(a) A license holder commits an offense if the license holder:

(1) carries a concealed or visible holstered handgun under the authority of Subchapter H, Chapter 411, Government Code, on property of another without effective consent; and

(2) received notice that:

(A) entry on the property by a license holder with a concealed handgun, a visible holstered handgun, or any handgun regardless of the manner in which the handgun is carried, as applicable, was forbidden; or

(B) remaining on the property with a concealed handgun, a visible holstered handgun, or any handgun regardless of the manner in which the handgun is carried, as applicable, was

forbidden and failed to depart.

(c) In this section:

(1) "Entry" has the meaning assigned by Section 30.05(b).

(2) "License holder" has the meaning assigned by Section 46.035(f).

(3) "Written communication" means a sign posted in accordance with rules adopted by the public safety director of the Department of Public Safety under Subsection (c-1) [+

~~[(A) a card or other document on which is written language identical to the following: "Pursuant to Section 30.06, Penal Code (trespass by holder of license to carry a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (concealed handgun law), may not enter this property with a concealed handgun"; or~~

~~[(B) a sign posted on the property that:~~

~~[(i) includes the language described by Paragraph (A) in both English and Spanish;~~

~~[(ii) appears in contrasting colors with block letters at least one inch in height; and~~

~~[(iii) is displayed in a conspicuous manner clearly visible to the public].~~

(c-1) The public safety director of the Department of Public Safety shall adopt rules regarding the content, size, and other characteristics of signs to be posted on a building or other property where the property owner seeks to prohibit a license holder from carrying a handgun. The rules must require the sign to:

(1) contain a pictogram, at least 6 inches in diameter, that shows, on a white background, a handgun drawn in black ink

within a red circle and a diagonal red line across the handgun;

(2) contain language that must include the following:

"Section 30.06, Penal Code";

(3) contain language clearly stating, as applicable,

that:

(A) visible holstered handguns are prohibited on
the property; or

(B) all handguns are prohibited on the property,
regardless of the manner in which the handgun is carried;

(4) be a readable and conspicuous size but not larger
than 8.5 inches by 11 inches;

(5) be posted at each exterior entrance that is open to
the public;

(6) be posted in a conspicuous manner clearly visible to
the public;

(7) not be obstructed or altered in any way; and

(8) be immediately replaced by the property owner if the
sign becomes illegible.

(c-2) The Department of Public Safety shall make available on
the department's Internet website a printable electronic copy of a
sign that complies with the rules adopted under Subsection (c-1).

(d) An offense under this section is a Class B [A]
misdemeanor.

(3) Strike SECTION 44 of the bill adding Section 30.07, Penal
Code (page 30, line 17 through page 32, line 6).

(4) Strike the recital to SECTION 47 of the bill amending
Section 46.035, Penal Code (page 33, lines 4-6), and substitute the
following:

SECTION 47. Section 46.035, Penal Code, is amended by

amending Subsections (a), (b), (c), (d), (g), (h), and (j) and adding Subsection (a-1) to read as follows:

(5) In SECTION 47 of the bill, strike amended Section 46.035(i), Penal Code (page 35, lines 16-18).

(6) Add the following appropriately numbered SECTION to the bill:

SECTION _____. (a) The public safety director of the Department of Public Safety shall adopt the rules prescribing the content, size, and other characteristics of the sign described by Section 30.06(c-1), Penal Code, as added by this Act, and, not later than December 1, 2015, make a printable electronic copy of the sign available on the department's Internet website as required by Section 30.06(c-2), Penal Code, as added by this Act.

(b) The change in law made by this Act to Section 30.06, Penal Code, applies only to an offense committed on or after January 1, 2016. An offense committed before January 1, 2016, is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this subsection, an offense was committed before January 1, 2016, if any element of the offense occurred before that date.

(c) A person is not authorized, before January 1, 2016, to carry a visible holstered handgun in a location that has posted the sign prescribed by Section 30.06, Penal Code, as that section existed immediately before the effective date of this Act.

(7) Renumber remaining SECTIONS of the bill.